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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/648,152	08/25/2000	Stefan Freitag	4079.21US01	5358

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FORT COLLINS, CO 80527-2400

EXAMINER

ORTIZ RODRIGUEZ, CARLOS R

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/648,152

Applicant(s)

FREITAG, STEFAN

Examiner

Carlos Ortiz-Rodriguez

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/23/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 05/23/05 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 20-34 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Regarding the argument that there is no disclosure in Thackston that an HTML report is provided to CAD users while the users are participating in the collaborative design process (i.e. while the design session is occurring) to enable the user to review the changes made during the session, it should be noted that a new reference that clearly teaches this limitation is applied.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20, 24, 25, 29, 30, and 34 rejected under 35 U.S.C. 102(b) as being unpatentable over Thackston U.S Patent No. 6,295,513 in view of Wone U.S. Patent No. 6,393,422.

Regarding claims 20, 25, and 30 Thackston discloses a collaboration server, comprising: a database including computer-aided design (CAD) elements defining an object under design (Fig 2 element 210, Abstract L 8-10 and C9 L10-17) ; and a collaboration server application for receiving input commands from a plurality of remote client applications to modify said CAD elements during a design session(Fig 2, Abstract L8-13 and C2 L14-48 and C29 L40-43), wherein said collaboration server application identifies discrete changes to said CAD elements (Fig 2, Abstract L8-13, C2 L14-48, and C3 L30-35 and C14 L30-51), creates a log of said discrete changes in a chronological order (Fig 1, timeline), and generates a hypertext markup language (HTML) report to enable user access to information related to changes to said CAD elements in a manner that is independent of client applications (C6 L10-15, C10 L5-10, C40 L50-56 and C46 L25-52).

But, Thackston fails to clearly specify wherein said HTML report is provided to each client to enable CAD users to review each change made to CAD elements during said design session while said design session is occurring.

However, Thackston in combination with Wone disclose wherein said HTML report is provided to each client to enable CAD users to review each change made to CAD elements during said design session while said design session is occurring(see Wone C1 L20-30 and C2 L19-22 and C4 L43-52 and C7 L12-17).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Thackston and combining it

with the invention disclosed by Wone. The results of this combination would lead to a CAD system.

One of ordinary skill in the art would have been motivated to do this modification because it is known in this art that HTML is a markup language used to create hypertext documents that are platform independent. HTML documents are frequently utilized for documentation purposes. Furthermore, it is common in this art to construct reports at the server and sending them over the internet in HTML format, as taught by Wone.

Regarding claims 24, 29 and 34 Thackston in combination with Wone further disclose said remote client applications communicate with said collaboration server via the Internet (see Thackston C10 L5-10).

4. Claims 21-23, 26-28, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thackston U.S. Patent No. 6,295,513 in view of Wone U.S. Patent 6,393,422 and further in view of Tanigawa et al. U.S. Patent No. 5,694,544.

Regarding claims 21-23, 26-28, and 31-33, Thackston in combination with Wone discloses all the limitations of the base claims.

But, Thackston in combination with Wone fail to clearly specify wherein said collaboration server application automatically records values defining geometric characteristics of CAD elements when changes are made to said CAD elements, and receives information from a user related to a reason for a respective change to said CAD elements and includes said

received information in said log; wherein said collaboration server application indicates in said log an identity of a user making a respective change to said CAD elements in each record.

However, Thackston in combination with Wone and further in combination with Tanigawa et al. disclose said collaboration server application automatically records values defining geometric characteristics of CAD elements when changes are made to said CAD elements, and receives information from a user related to a reason for a respective change to said CAD elements and includes said received information in said log; wherein said collaboration server application indicates in said log an identity of a user making a respective change to said CAD elements in each record (see Tanigawa et al. C1 L20-21, C3 L45-50 and C7 L20-31).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Thackston and Wone and combining it with the invention disclosed by Tanigawa et al.

One of ordinary skill in the art would have been motivated to do this modification in order to obtain a reliable system that stores information regarding identification and time of creation as suggested by Tanigawa et al.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to CAD system:

- a. U.S. Pat. No. 5,446,842 to Schaeffer et al., which discloses object-oriented collaboration system.

- b. U.S. Pat. No. 5,845,299 to Arora et al., which discloses draw-based editor for web pages.
- c. U.S. Pat. No. 6,654,737 to Nunez., which discloses hypertext-based database architecture.
- d. U.S. Pat. No. 6,680,730 to Shields et al., which discloses remote control of apparatus using computer networks.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is

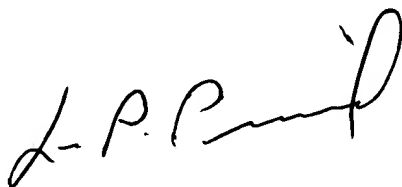
Art Unit: 2125

(571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P Picard can be reached on (703)308-0538. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Carlos Ortiz-Rodriguez
Patent Examiner
Art Unit 2125

cror

August 7, 2005

LEO PICARD
SUPERVISORY PATENT EXAMINER
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